

(b) *Under what circumstances does AmeriCorps allow less than the 10 percent non-AmeriCorps support?* AmeriCorps may allow exceptions to the 10 percent local support requirement in cases of demonstrated need such as:

(1) Initial difficulties in the development of local funding sources during the first three years of operations; or

(2) An economic downturn, the occurrence of a natural disaster, or similar events in the service area that severely restrict or reduce sources of local funding support; or

(3) The unexpected discontinuation of local support from one or more sources that a project has relied on for a period of years.

(c) *May AmeriCorps restrict how a sponsor uses locally generated contributions in excess of the 10 percent non-AmeriCorps support required?* Whenever locally generated contributions to Senior Companion projects are in excess of the minimum 10 percent non-AmeriCorps support required, AmeriCorps may not restrict the manner in which such contributions are expended provided such expenditures are consistent with the provisions of the Act.

(d) *Are program expenditures subject to audit?* All expenditures by the grantee of Federal and non-Federal funds, including expenditures from excess locally generated contributions in support of the grant, are subject to audit by AmeriCorps, its Inspector General, or their authorized agents.

(e) *May a sponsor pay stipends at rates different than those established by AmeriCorps?* A sponsor must pay stipends at rates no less than the rate established by AmeriCorps. A sponsor may use non-AmeriCorps funding to pay stipends at rates higher than the rate established by AmeriCorps but may not use AmeriCorps funding for this purpose.

[64 FR 14115, Mar. 24, 1999, as amended at 75 FR 51415, Aug. 20, 2010; 83 FR 64647, Dec. 17, 2018; 89 FR 70542, Aug. 30, 2024; 89 FR 70542, Aug. 30, 2024]

#### **§ 2551.93 What are a sponsor's legal requirements in managing grants?**

What rules govern a sponsor's management of grants?

(a) A sponsor shall manage a grant in accordance with:

(1) The Act;

(2) Regulations in this part;

(3) 2 CFR part 200 and 2 CFR part 2205;

(4) All applicable AmeriCorps policies; and

(5) All other applicable AmeriCorps requirements.

(b) Project support provided under a AmeriCorps grant shall be furnished at the lowest possible cost consistent with the effective operation of the project.

(c) Volunteer expense items, including transportation, meals, recognition activities and items purchased at the volunteers' own expense and which are not reimbursed, are not allowable as contributions to the non-Federal share of the budget.

(d) Costs to bring a sponsor into basic compliance with accessibility requirements for individuals with disabilities are not allowable costs.

(e) Payments to settle discrimination complaints, either through a settlement agreement or formal adjudication, are not allowable costs.

(f) Written AmeriCorps approval is required for the following changes in the approved grant:

(1) Reduction in budgeted volunteer service years.

(2) Change in the service area.

[79 FR 76077, Dec. 19, 2014, as amended at 83 FR 64648, Dec. 17, 2018]

### **Subpart J—Non-Stipended Senior Companions**

#### **§ 2551.101 What rule governs the recruitment and enrollment of persons who do not meet the income eligibility guidelines to serve as Senior Companions?**

Over-income persons as described in § 2551.43, age 55 or over, may be enrolled in SCP project as non-stipended volunteers.

[83 FR 64648, Dec. 17, 2018]

#### **§ 2551.102 What are the conditions of service of non-stipended Senior Companions?**

Non-stipended Senior Companions serve under the following conditions:

## § 2551.103

(a) They must not displace or prevent eligible low-income individuals from becoming Senior Companions.

(b) No special privilege or status is granted or created among Senior Companions, whether stipended or non-stipended, and equal treatment is required.

(c) Training, supervision, and other support services and cost reimbursements, other than the stipend, are available equally to all Senior Companions.

(d) All regulations and requirements applicable to the program apply to Senior Companions.

(e) Non-stipended Senior Companions may contribute the costs they incur in connection with their participation in the program. An SCP project may not count such contributions as part of the required non-AmeriCorps support (match) for the grant.

[64 FR 14115, Mar. 24, 1999, as amended at 83 FR 64648, Dec. 17, 2018; 89 FR 70542, Aug. 30, 2024]

### § 2551.103 Must a sponsor be required to enroll non-stipended Senior Companions?

No. Enrollment of non-stipended Senior Companions is not a condition for a sponsor to receive a new or continuation grant.

[83 FR 64648, Dec. 17, 2018]

### § 2551.104 [Reserved]

## Subpart K—Non-AmeriCorps Funded Senior Companion Projects

### § 2551.111 Under what conditions may an agency or organization sponsor a Senior Companion project without AmeriCorps funding?

An eligible agency or organization who wishes to sponsor a Senior Companion project without AmeriCorps funding must make an application through the designated grants management system which is approved by AmeriCorps and documented through the Notice of Grant Agreement (NGA).

[83 FR 64648, Dec. 17, 2018]

## 45 CFR Ch. XXV (10–1–24 Edition)

### § 2551.112 What are the resources and benefits to which a non-AmeriCorps funded project is entitled?

The Notice of Grant Award entitles the sponsor of a non-AmeriCorps funded project to:

(a) All technical assistance and materials provided to AmeriCorps funded Senior Companion projects; and

(b) The application of the provisions of 42 U.S.C. 5044 and 5058.

[64 FR 14115, Mar. 24, 1999, as amended at 83 FR 64648, Dec. 17, 2018; 89 FR 70542, Aug. 30, 2024]

### § 2551.113 What financial obligation does AmeriCorps incur for non-AmeriCorps funded projects?

Issuance of an NGA to a sponsor of a non-AmeriCorps funded project does not create a financial obligation on the part of AmeriCorps for any costs associated with the project.

[83 FR 64648, Dec. 17, 2018, as amended at 89 FR 70542, Aug. 30, 2024]

### § 2551.114 What happens if a non-AmeriCorps funded sponsor does not comply with the NGA?

A non-AmeriCorps funded project sponsor's noncompliance with the NGA may result in suspension or termination AmeriCorps' agreement and all benefits specified in § 2551.112.

[83 FR 64648, Dec. 17, 2018, as amended at 89 FR 70542, Aug. 30, 2024]

## Subpart L—Restrictions and Legal Representation

### § 2551.121 What legal limitations apply to the operation of the Senior Companion Program and to the expenditure of grant funds?

(a) *Political activities.* (1) No part of any grant shall be used to finance, directly or indirectly, any activity to influence the outcome of any election to public office, or any voter registration activity.

(2) No project shall be conducted in a manner involving the use of funds, the provision of services, or the employment or assignment of personnel in a matter supporting or resulting in the identification of such project with: